

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

AFRICA N. WILLIAMS,

Plaintiff,

-against-

1:10-CV-1025 (LEK/DRH)

UNITED STATES OF AMERICA,

Defendant.

DECISION AND ORDER

This matter comes before the Court following a Report-Recommendation filed on March 17, 2011, by the Honorable David R. Homer, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.2(d)(5) of the Northern District of New York. Report-Rec. (Dkt. No. 5).

Within fourteen days after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1(c). No objections have been raised in the allotted time with respect to Magistrate Judge Homer's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

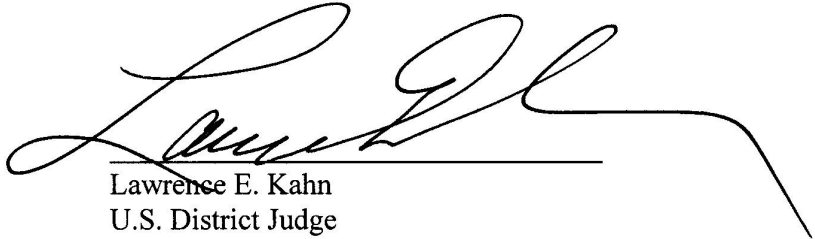
ORDERED, that the Report-Recommendation (Dkt. No. 5) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

ORDERED, that Plaintiff's complaint be **DISMISSED** in its **ENTIRETY without prejudice** pursuant to Fed. R. Civ. P. 16(f)(1)(C) and 37(b)(2)(A)(v) for Plaintiff's failure to comply with the Court's August 31, 2010 Order; and it is hereby

ORDERED, that the Clerk serve Plaintiff with a copy of this Order by certified mail, return receipt requested, and by regular mail.

IT IS SO ORDERED.

DATED: April 11, 2011
Albany, New York



Lawrence E. Kahn
U.S. District Judge